



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

JAN 15 2016

OFFICE OF
CHEMICAL SAFETY AND
POLLUTION PREVENTION

Florida Department of Agriculture and Consumer Services
400 South Monroe Street
Tallahassee, Florida 32399-0800

Issue Date: January 15, 2016
Expiration Date: October 31, 2016
Final Report Due Date: May 1, 2017
File Symbol: 16FL04

Attn: Mr. Charlie L. Clark

The Environmental Protection Agency hereby grants a specific exemption under the provisions of Section 18 of the Federal Insecticide, Fungicide and Rodenticide Act, as amended, to the Florida Department of Agriculture and Consumer Services (FDACS) for the use of clothianidin on immature (3 to 5 years old) citrus trees to manage the transmission of Huanglongbing (HLB) disease caused by the Asian citrus psyllid (ACP). In a letter dated January 13, 2016, the FDACS re-certified that the emergency condition still exists and that there were no changes to the use directions approved with last year's authorization. This specific exemption is subject to the following conditions and restrictions:

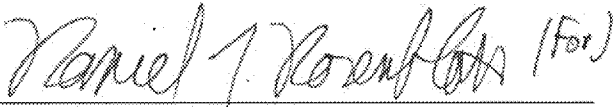
1. The Florida Department of Agriculture and Consumer Services (FDACS) is responsible for ensuring that all provisions of this specific exemption are met. FDACS is also responsible for providing information in accordance with 40 CFR §166.32(a). Accordingly, EPA Headquarters and the appropriate EPA Regional Office(s) shall be immediately informed of any adverse effects resulting from the use of this chemical in connection with this exemption. Additionally, in accordance with 40 CFR §166.32(b), a final report summarizing the results of this specific exemption must be submitted to these offices.
2. The product, Belay® Insecticide (EPA Reg. No. 59639-150, containing 23.6% clothianidin) manufactured by Valent U.S.A. Corporation may be applied. All applicable use directions, restrictions, Worker Protection Standard (WPS) requirements, and precautions on the EPA-registered product label as well as those outlined on the Section 18 use directions submitted in support of your application must be followed.
3. Belay® Insecticide may be applied via soil drench at a single maximum application rate of 0.2 lb a.i./A (12.0 fl oz per acre) to immature citrus trees (3 to 5 years old), with a maximum of 0.4 lb a.i./A (24.0 fl oz per acre) per 12-month period regardless of tree size, tree count per acre, or application method.

4. A maximum of 125,376 acres of young citrus trees may be treated under this exemption.
5. A minimum 1-day preharvest interval (PHI) and 12-hour retreatment interval (REI) must be observed.
6. To minimize exposure to pollinators, the following statement on the application timing must be observed: **“Do not apply this product until after petal fall.”**
7. The following environmental hazard statements on the Section 18 label must be followed:
 - This product is toxic to aquatic invertebrates. Do not apply when weather conditions favor drift from treated areas. Drift and runoff may be hazardous to aquatic organisms in neighboring areas. Do not apply directly to water, or to areas where surface water is present or to intertidal areas below the mean high water mark. Do not contaminate water when cleaning equipment or disposing of equipment washwaters or rinsate.
 - This product is toxic to bees exposed to treatment and for more than 5 days following treatment. Do not apply this product to blooming, pollen-shedding or nectar-producing parts of plants if bees may forage on the plants during this time period. Fall soil application of 3-5 year old citrus may pose risks to honey bees that forage in the trees during the winter/spring bloom. Applicators are advised to help mitigate such risks by cooperating with the Florida Department of Agriculture and Consumer Services in its efforts to communicate hive location/placement options with local bee keepers (*sic*). For further information, see www.FloridaBeeProtection.org.
 - The properties of this chemical suggest it may leach into ground water if used in areas where soils are permeable and where the water table is very shallow. Do not apply within 25 feet of lakes, reservoirs, rivers, permanent streams, marshes, natural ponds, estuaries or commercial fish farm ponds.
8. Residues resulting from applications of Belay® Insecticide made in accordance with this exemption are not expected to result in residues of clothianidin, including its metabolites and degradates in or on citrus, in excess of 0.07 ppm. The Agency has determined this level is adequate to protect public health. A time-limited tolerance in connection with this action has been established in 40 CFR 180.668(b) for fruit, citrus group 10-10 to support this emergency use.
9. This specific exemption expires October 31, 2016.

This is the third year that a request for use of clothianidin on immature citrus trees to manage the transmission of Huanglongbing disease vectored by the Asian citrus psyllid has been requested under section 18 of FIFRA. At this time progress toward registration is adequate since a registration application is currently under Agency review. In the event that FDACS requests this use next year under an emergency exemption, EPA is making a preliminary determination that this use is eligible for the re-certification program (40 CFR 166.20(b)(5)) in 2017.

Any future correspondence regarding this exemption should refer to file symbol 16FL04.

If you have any questions regarding this authorization, please contact Emergency Response Team member Stacey Groce at 703/305-2505 or groce.stacey@epa.gov or the Emergency Response Acting Team Leader Debra Rate, Ph.D. at 703/306-0309, rate.debra@epa.gov).

Handwritten signature of Daniel J. Rosenfeld in black ink, with the word "(for)" written to the right of the signature.

Susan Lewis, Director
Registration Division
Office of Pesticide Programs

Date: 1/15/2016

cc: USEPA Region 4, Phillip Beard
USEPA Region 4 Pesticide Tribal Coordinator, Patricia Livingston